

## **HABITAT CONSERVATION TECHNICAL COMMITTEE**

for the Washington County Habitat Conservation Plan (HCP)

A regular meeting of the Habitat Conservation Technical Committee (TC) was held in the conference room of the Washington County Administration Building, **September 1, 2016.**

**Members present were:**

Cameron Rognan, Chairman  
John Kellam, Vice Chairman  
Nathan Brown  
Ann McLuckie  
Kristen Comella

Washington County HCP  
Bureau of Land Management (BLM)  
U.S. Fish and Wildlife Service (USFWS)  
Utah Division of Wildlife Resources (UDWR)  
Snow Canyon State Park (SCSP)

**Absent and Excused was:**

Marshall Topham

Local Biologist

**Also present were:**

Lacey McIntyre  
Kent Bylund  
Jessica Mousley  
Kirk Willey  
Alan Gardner  
Lynn Chamberlain

Washington County HCP Recorder  
Sentierre  
Sentierre  
Developer  
Washington County Commissioner  
HCP Administrator

### **1. CALL TO ORDER**

Chairman Cameron Rognan noted a quorum existed and called the meeting to order at 1:00 p.m.

### **2. APPROVAL OF MINUTES**

#### **a. August 11, 2016**

**MOTION** by Nathan Brown to approve the minutes.

Seconded by John Kellam.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

### **3. GENERAL BUSINESS**

#### **a. Discussion of pending access road in Diamond Valley (Kirk Willey)**

John Kellam began the discussion with the basic findings on the BLM land in consideration. The BLM found one tortoise scat, believed to be approximately 6 months to 1 year old. In addition, greater than 30 species of plants were recorded. Kirk

Willey then handed out a packet (Exhibit 3-a-1) and began discussing the project. He referenced the HCP document and then spoke about the International Fire Code (IFC), which the county has adopted. According to the IFC criteria it will be a requirement to have a minimum of two access points spaced a minimum of 4,485 feet apart, which is not feasible for his development for any other route other than the proposed route. The committee discussed the road being an emergency access road versus the primary road in and out of the development. Mr. Willey believes about 2/3<sup>rd</sup> of the development will use this proposed southern access road and 1/3<sup>rd</sup> would use the northern access road.

Mr. Willey began to speak about the compensation ratio for mitigation. He referenced a couple maps in his exhibit packet. Nathan Brown asked what the HCAC's assignment was for the TC. There has not been an official HCAC motion regarding this issue, but when Mr. Willey gave the presentation to the HCAC last month they asked the TC to evaluate the project and come back with a recommendation. Ann McLuckie, Nathan Brown, and John Kellam voiced that they would rather not discuss this further until the HCAC specifically wrote out an assignment for the TC. Cameron Rognan mentioned the HCP Administrator could write the assignment for them on the spot based on the HCAC discussion so the discussion could continue. Nathan and Ann again suggested sending this issue back to the HCAC for that committee to discuss whether a new road through the Reserve, which has not been allowed thus far, is something the HCAC wants to consider. After an in depth Technical Committee discussion, committee members decided to make a motion to ask the HCAC to look at this specific project and determine if a new road in the Reserve is legal within the framework of the HCP. The committee then continued to discuss this topic saying if the HCAC's answer to that motion is no, discussion is done. If the HCAC decides, however, a road is legal and asks for further input from the TC, the HCAC can be directed to the second motion the committee agreed to make regarding the issue.

**MOTION** by Nathan Brown to recommend the HCAC have a formal evaluation of this project and a vote to decide if a new road in the Reserve is legal within the framework of the HCP. If the HCAC determines it is not, the motion ends. If yes, there will be a follow up recommendation from the TC.

Seconded by John Kellam.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The TC began discussion on this project in order to make another recommendation to the HCAC, in the event the HCAC wants to go forward with this proposal. They began by discussing if the road is necessary, how much mitigation would be needed, and how the lost habitat can be replaced. The TC had a thorough discussion as they went through the MOG as a group and agreed upon a 5 to 1 ratio. Cameron Rognan did not fully agree with the 5:1 ratio and brought up an issue he had with it being listed as a Category II habitat. Cameron referenced Mr. Willey's Exhibit 3-a-1 stating that,

according to the previous HCP, BLM, and DWR habitat maps the area is shown as non-habitat or very low density habitat. Cameron did not understand why habitat in the Reserve was treated as Category II habitat, regardless of what its actual value or quality really is. Nathan said he agreed with his point on principle, but that is the way they must proceed since it is in a DWMA. Cameron reluctantly agreed to the 5:1 ratio, but made a special note that the habitat value should be placed fairly into Category I, II or III according to its true value as tortoise habitat regardless of whether it is in the Reserve or outside of the Reserve. He also mentioned there is currently no language in the MOG that says otherwise.

Mr. Willey then explained to the committee areas he is considering for mitigation options. That led the committee to discuss mitigation regulations. Nathan said the mitigation would need to be contiguous with the Reserve and preferably not a long or extended peninsula from the Reserve. The committee decided they would like a field trip to the proposed SITLA property Mr. Willey is thinking of pursuing for mitigation (Exhibit 3-a-2), if the HCAC agrees to go forward with this project.

**MOTION** by Nathan Brown to add a second recommendation to the HCAC regarding this project. If the HCAC decides the proposed road project in the Reserve is to be carried forward, due to habitat impacts the road is to be mitigated at a 5:1 ratio of land adjacent to the Reserve. The mitigation options will be evaluated by the TC. Also, State Parks has indicated they have no interest in owning the piece of State Park land that would be isolated due to the proposed road and are willing to work with the county to possibly transfer that piece of land.

Seconded by Kristen Comella.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

#### **b. Discussion and possible action on trail alignments at Sentierre**

Cameron Rognan began the discussion by showing Exhibit 3-b-1 and relaying a message from Mayor Hart from the HCAC. Mayor Hart did not want both the 1,400 ft. and 1,650 ft. sections of the Toe Trail east of Tuacahn Drive removed. Kristen Comella updated the figures in the exhibit and mentioned closing the 1,650 ft. section of that trail was not something being considered. Option 1 comes out to 1,340 ft. of new trail on State Park property. The section of the Toe Trail from Tuacahn Drive over to Abbey Gale Park is 1,482 ft. They are looking at closing that 1,482 ft. section of trail, but there are still decisions to be made. There was a discussion about a potential Sentierre horse trail along Tuacahn Drive or opening Padre Canyon Trail up to equestrian use. Kristen and the committee discussed three options: (1) add the new trail coming out of Sentierre in addition to keeping all old trails, (2) add the new trail, remove a 1,482 ft. section of the Toe Trail east of Tuacahn Drive, equestrians can come west over the dike trail and south to Abbey Gale Park or north on roadway

access, and make a decision to open the Padre Canyon Trail to equestrian use or not, or (3) add the new trail, remove a 1,482 ft. section of the Toe Trail east of Tuacahn Drive, do not worry about horses coming from the west, and make a decision to open the Padre Canyon Trail to equestrian use or not. Cameron suggested the Padre Canyon Trail not be opened up to equestrian use in light that an equestrian trail is currently proposed on the east side of Tuacahn Drive. John and Ann both stated this was good habitat and agreed to not allow equestrian use on the Padre Canyon Trail. Currently equestrian usage remains to be seen, but State Parks is continuing to work with user groups to come up with a solution.

#### **4. OTHER REPORTS FROM TC MEMBERS AND REQUESTS FOR FUTURE AGENDA ITEMS**

a. Kristen updated the committee on the road expansion project in Snow Canyon State Park. Kristen had asked Cameron (via e-mail) to put the Road Shoulder Expansion project on this month's agenda and was surprised that it wasn't. The TC and HCAC originally asked that the project come back for final review (once engineering plans were completed) and so that was what Kristen wanted to do. Cameron stated that an update was sufficient and it didn't need to be added as an agenda item. Kristen showed the TC the most recent engineering plans. The major points are that 1) Most of the expansion work will occur on the west side from Upper Galoot to SR-18. At the time of paving the current center line will be shifted so there are two four-foot lanes on each side of the road, and 2) The Lava Flow parking lot will be moved and reconfigured, and the Petrified Dunes lot will also be reconfigured. The goal is to start and finish work during the tortoise inactive window.

Kristen asked if any additional formal action needed to be taken. The group agreed that no additional action was needed and the project could proceed.

b. Lynn discussed the HCP budget. He was unaware the budget needed to go to the TC so he updated the committee on the changes he is making and will email them a draft of the budget when he has it.

c. Nathan discussed that the HCP does not include the Beaver Dam Slope. There is a land owner near the Beaver Dam NCA off Hwy 91 who wants to develop his land, but the land has tortoises on it. Nathan just wanted to give the committee a heads up on the issue because it will be discussed again and may get incorporated in the HCP renewal or amendment. Ann said the state can offer their assistance as appropriate.

#### **5. NEXT MEETING DATES**

a. **October 6, 2016**

#### **6. ADJOURN**

**MOTION** by Nathan Brown to adjourn.

**Seconded** by Kristen Comella.

**Discussion:** None.

**Vote was taken:** All voted aye.

**Motion passed.**

The meeting was adjourned at 3:35 p.m.  
Minutes prepared by Lacey McIntyre.